

December 1, 2005

Ex Parte

Mr. Kevin J. Martin, Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: *IP-Enabled Services, WC Docket No. 04-36;*
E911 Requirements for IP-Enabled Service Providers, WC Docket No. 05-196

Dear Chairman Martin:

As you are already aware, Vonage America Inc (“Vonage”) is making every effort to deploy E911 services to all of its subscribers. A critical element in the provision of E911 services is access to pseudo-Automatic Number Identification (“pANI”) resources.¹ Vonage is

¹ See, e.g., *Ex Parte* Letter from Rep. Joe Barton *et al.*, Members of United States House of Representatives, to Kevin J. Martin, Chairman, FCC, WC Docket Nos. 04-36 & 05-196 (Nov. 22, 2005); *Ex Parte* Letter from David F. Jones, President, National Emergency Number Association, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 04-36 & 05-196, at 1 (filed Nov. 4, 2005); *Ex Parte* Letter from Tom Goode, Associate General Counsel, Alliance for Telecommunications Solutions’, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 04-36 & 05-196, at 2 (filed Nov. 2, 2005); Letter from Robert C. Atkinson, NANC Chair to Thomas Navin, Chief Wireline Competition Bureau, FCC (filed Sept. 8, 2005); *Ex Parte* Letter from Jeffrey A. Citron, Chairman and CEO, Vonage Holdings Corp., to Kevin J. Martin, Chairman, FCC, WC Docket Nos. 04-36 & 05-196 (filed Nov. 16, 2005). See generally *Vonage Holdings Corp. Petition for Limited Waiver of Section 52.15(g)(2)(i) of the Commission’s Rules Regarding Access to Numbering Resources*, Emergency Request for Expedited Approval of Vonage’s Petition for Limited Waiver of Section 52.15(g)(2)(i), CC Docket No. 99-200 (filed May 26, 2005); *Ex Parte* Letter from William B. Wilhelm, Jr., Tamar E. Finn and Ronald W. Del Sesto, Counsel for Vonage Holdings Corp., to Marlene H. Dortch, Secretary, FCC, WC Docket No. 04-36, 05-196 & 99-200, at 1 (filed June 29, 2005). See generally *Ex Parte* Letter from William B. Wilhelm, Jr., Counsel for Vonage Holdings Corp., to Marlene H. Dortch, Secretary, FCC, WC Docket No. 04-36, at 1 (filed May 4, 2005); *Ex Parte* Letter from William B. Wilhelm, Jr., Counsel for Vonage Holdings Corp., to Marlene H. Dortch, Secretary, FCC, WC Docket No. 04-36, at 2 (filed May 5, 2005); *Ex Parte* Letter from William B. Wilhelm, Jr., Counsel for Vonage Holdings Corp., to Marlene H. Dortch, Secretary, FCC, WC Docket No. 04-36, at 2-3, 6 (filed May 9, 2005); *Ex Parte* Letter from William B. Wilhelm, Jr., Counsel for Vonage Holdings Corp., to Marlene H. Dortch, Secretary, FCC, WC

(cont’d)



pleased that there is now an industry consensus that nomadic VoIP services must first obtain pANI before they can fully achieve this Commission's public safety objectives.²

While several parties have raised a number of issues concerning how pANI administration should occur, Vonage recommends that the Commission first consider the recommendations of the North American Numbering Council ("NANC").³ The NANC serves a critical role and advises the Commission by making recommendations, reached through consensus, that serve to foster efficient and impartial number administration. Working groups and task forces made up of industry experts have been established by the NANC to assist it in its efforts. One such working group is the pANI Issue Management Group ("IMG"). While the NANC membership requires an invitation from the Commission, IMGs allow any stakeholder to monitor and participate in their deliberations.

The NANC's pANI IMG enjoys broad participation from all of the same industry representatives as the NANC, but also includes participants from public safety, industry, state commissions, VoIP Positioning Companies and other stakeholders in the communications industry. The pANI IMG has been examining pANI issues since August, 2005, and continues to work on permanent pANI assignment guidelines for ESQK. Through countless conference calls, sub-working group meetings and other efforts, the pANI IMG produced the *pANI Interim Assignment Guidelines for ESQK* ("Guidelines"). The *Guidelines* also support the appointment of an interim Routing Number Authority ("RNA").⁴ The NANC followed the pANI IMG's recommendation and the NANC formally advised the Commission of its position highlighting that the recommendation represented, *at a minimum*, "226 hours [of work] . . . not includ[ing] work outside the conference calls" or work by the sub-group which prepared the synthesized *Guidelines*.⁵

The *Guidelines* make clear that **both** VoIP service providers and VoIP Positioning Companies must have equal access to pANI. Because the Commission's *VoIP E911 Order* places a direct obligation on VoIP providers, these providers should have direct access to the necessary tools to satisfy the Commission's obligations. To this end the pANI IMG is actively

Docket No. 04-36 & 05-65, at 1 (filed May 10, 2005); *Ex Parte* Letter from William B. Wilhelm, Jr., Counsel for Vonage Holdings Corp., to Marlene H. Dortch, Secretary, FCC, WC Docket No. 99-200, at 1 (filed July 21, 2005).

² See *id.*; see also *Ex Parte* Letter from Bennet L. Ross, General Counsel, BellSouth DC, Inc. to Marlene H. Dortch, Secretary, FCC, WC Docket Nos. 04-36 & 05-196 (filed Nov. 28, 2005); *Ex Parte* Letter from Gregory S. Ballentine, President, APCO International, to Kevin Martin, Chairman, FCC, WC Docket No. 05-196 (filed Nov. 30, 2005).

³ See Letter from Robert C. Atkinson, NANC Chair to Thomas Navin, Chief Wireline Competition Bureau, FCC (Sept. 8, 2005).

⁴ See Letter from Hoke Knox and Karen Mulberry, pANI IMG Co-Chairs, to Robert C. Atkinson, NANC Chair (Sept. 2, 2005).

⁵ See *id.*



considering how the guidelines should evolve in order to become permanent guidelines. Interested stakeholders are certainly welcome and encouraged to participate in that process.

Vonage believes that the recommendations of the NANC and the pANI IMG represent the consensus view regarding the most appropriate way in which to assign and to allow access to pANI. These *Guidelines* should not be overlooked or ignored by the Commission.⁶ Accordingly, the Commission should appoint an interim RNA, adopt the *Guidelines* and encourage those parties that would like to make recommendations about access to and the assignment of pANI to participate in the pANI IMG.

Vonage looks forward to working with the Commission and other parties in order to facilitate access to those critical resources essential to the deployment of VoIP E911.

Sincerely,

Jeffrey A. Citron
Chairman and CEO
Vonage Holdings Corp.

cc: Commissioner Kathleen Q. Abernathy
Commissioner Jonathan S. Adelstein
Commissioner Michael J. Copps
Michelle Carey, Legal Advisor for Chairman Martin
Russell Hanser, Legal Advisor for Commissioner Abernathy
Scott Bergmann, Legal Advisor for Commissioner Adelstein
Jessica Rosenworcel, Legal Advisor for Commissioner Copps
Kris Monteith, Enforcement Bureau Chief
Kathy Berthot, Enforcement Bureau Spectrum Enforcement Division Deputy Chief
Thomas Navin, Wireline Competition Bureau Chief
Julie Veach, Wireline Competition Deputy Bureau Chief
Samuel Feder, Acting General Counsel
Marlene H. Dortch, Office of the Secretary

⁶ Attached as Exhibit 1 is a list of the pANI IMG members that participated in producing the recommendation to the NANC and the *Guidelines*.



Exhibit 1

Members pANI IMG

NAME	ORGANIZATION
Atkinson, Robert C.	NANC Chair
Balch, Mike	Iowa UB
Barry, Tim	ATT
Bishop, Barry	NeuStar
Brown, Regina	FCC
Del Sesto, Ron	Vonage
Emard, Jean Paul	ATIS
Fargano, Mike	Qwest
Gray, Don	NE PSC
Guerra, George	SBC
Hicks, Tom	Intrado
Hultquist, Hank	SBC
Hunter, Dena	Level 3
Jackson, Courtney	OUR
Jefferson, John C.	SBC
Jones, Marilyn	FCC
Jones, Rick	NENA
Jordan, Debra	BellSouth
Kerrington, Jennifer	
Knox, Hoke	Sprint
Lancaster, Mark J.	AT&T
Mamakos, Louis	Vonage
Manning, John	NANPA
McCallum, Fred	BellSouth
McGarry, Tom	NeuStar
McHugh, John	OPASTCO
Morgenstern, Dale C	AT&T
Mulberry, Karen	MCI
Napolitano, Maureen	Verizon
Newman, Julie	Cingular
O'Donnell, Beth	Cox
Propst, Jim	Sprint
Putnam, Amy	NeuStar
Pyott, Charles	ATIS
Seigny, Shannon.	NeuStar
Shaughnessy, Bill	BellSouth
Shepard, Jim	HBF Group, Inc.
Smith, Dana	Verizon Wireless
Struthers, Brent	NeuStar
Sullivan, Douglas.P.	Verizon
Tiffany, Sue	Sprint
Whaley, Mike	Qwest